Wetlands Applications Decision Report

Decisions Taken
07/13/2020 to 07/19/2020

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or atappeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

PERMIT CATEGORY:
No Category Match

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2019-02911 **OWNER: ROCKY RIVER RESORTS ASSOCIATION**
OWNER: FOLLANSBEE, JANICE/VICTOR
OWNER: NH DEPARTMENT OF TRANSPORTATION
OWNER: KIESMAN, LUCINDA
OWNER: HHP NOMINEE TRUST II
OWNER: BENNETT FAMILY REVOCABLE TRUST
OWNER: PATCH, DONALD
OWNER: PATCH, RONALD
OWNER: PATCH, RICHARD
OWNER: PATCH, DAVID
OWNER: PATCH, JOHN

CITY: BARTLETT WATERBODY: ROCKY BRANCH RIVER

Requested Action:

Dredge 44,371 square feet within dry portions of the bed of the Rocky Branch River (impacting 663 linear feet) to remove accumulated cobble deposition which resulted from the October 2017 flood event; and dredge and fill 8,026 square feet within the bed and bank of Rocky Branch River (impacting 1,215 linear feet) to stabilize the eroding bank and reconstruct an existing flood control berm with riprap, which failed during the October 2017 flood event.

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APPROVE PERMIT
Dredge 44,371 square feet within dry portions of the bed of the Rocky Branch River (impacting 663 linear feet) to remove accumulated cobble deposition which resulted from the October 2017 flood event; and dredge and fill 8,026 square feet within the bed and bank of Rocky Branch River (impacting 1,215 linear feet) to stabilize the eroding bank and reconstruct an existing flood control berm with riprap, which failed during the October 2017 flood event.

With Conditions:

1. All work shall be in accordance with revised plans by HEB Engineers dated July 10, 2020, as received by the NH Department of Environmental Services (DES) on July 16, 2020.
2. This permit is contingent on review and approval, by the DES Wetlands Program, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the DES Wetlands Program prior to construction, if applicable.
4. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
5. All activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to prevent unintentional encroachment on adjacent wetlands and surface waters.
8. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
9. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued in writing by DES in consultation with NH Fish & Game.
10. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other

times of the year.
11. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Erosion control products shall be installed per manufacturers recommended specifications.
16. Mulch used within the wetland restoration areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
17. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
18. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
19. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
20. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
22. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
23. Filter fabric shall be installed under the rip-rap.
24. Any fill used shall be clean sand, gravel, rock, or other suitable material.
25. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
26. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
27. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
28. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
29. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
30. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
31. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
32. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3 -inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
33. Areas of temporary impact shall be regraded to original contours following completion of work.
34. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), as impacts to the bed and banks are greater than 20,000 square feet.
2. In a letter dated November 6, 2019, the Saco-Swift Rivers Local Advisory Committee (LAC) stated that they had several concerns about the project.
3. NHDES reviewed the application and issued a Request for More Information (RFMI) letter on November 12, 2019, based on several major questions regarding the potential for mitigation.
4. The Town of Bartlett and their agent (HEB Engineers) met with NHDES, the Army Corps of Engineers (ACE) and the Environmental Protection Bureau (EPA) on January 15, 2020, to discuss the project and potential for mitigation. It was determined that since the project is proposed to protect existing infrastructure, mitigation would not be required. NHDES did recommend they submit the results from an ongoing river study the town funded to determine if the proposed measures

would improve the flooding situation.
5. The applicant entered into several time extension agreements with NHDES to allow additional time to respond to the RFMI letter.
6. On June 9, 2020, NHDES received the draft results from the river wide study known as the "Saco River Flood Hazard Reduction Study" dated April 21, 2020, which evaluated the proposed measures and made several recommendations to improve the project.
7. On June 25, 2020, NHDES sent an email to HEB Engineers requesting that the project be modified to take into account the river study recommendations, that the applicant address concerns raised by the LAC and abutters, as well as eliminating several areas of proposed stream bed and bank impacts that were deemed unnecessary.
8. The applicant responded with revised plans on July 16, 2020 to address all of the above mentioned issues and reduced the overall impacts by 30,614 square feet, by eliminating several areas of proposed work.
9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The original application requested 83,011 square feet of impact within the bed and banks of the Rocky Branch River which included working in flowing water portions of the river. The revised plans have eliminated any instream flow work and eliminated several areas of proposed riprap, reducing the overall impacts to 52,397 square feet.
10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
11. Mitigation is not required per Rule 302.03(c)(2)c., as the project involves riprap and other stabilization measures to protect existing infrastructure.
12. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the revised project will address stability issues and is now designed to restore the area to pre-storm conditions, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

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2020-01420 OWNER: LABRADOR LANDING LLC
OWNER: ANDREW & CONNIE MCELWEE TRUSTS

CITY: NEW LONDON WATERBODY: PLEASANT LAKE

Requested Action:

Impact 29,470 square feet of protected shoreland in order to merge two lots to develop a primary structure, new driveway alignment, and landscape features.

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APPROVE PERMIT
Impact 29,470 square feet of protected shoreland in order to merge two lots to develop a primary structure, new driveway alignment, and landscape features.

With Conditions:

1. All work shall be in accordance with plans by Pellettieri Associates, Inc. dated June 10, 2020 and received by the NH Department of Environmental Services (NHDES) on June 22, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau as required pursuant to RSA 483-B:6, I, (c).
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved as required per Rule Env-Wq 1406.20, (e).
4. No more than 28.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
5. Native vegetation within an area of at least 3,390 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized as required per Rule Env-Wq 1406.20, (a).

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters as required per Rule Env-Wq 1406.20, (b).
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700 as required per Rule Env-Wq 1406.20, (c).
9. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
10. The proposed (stormwater management structure description) shall be installed and maintained to effectively absorb and infiltrate stormwater in order to ensure compliance with RSA 483-B:9, V, (g).
11. Photographs documenting the construction of the proposed (stormwater management) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure as required per RSA 483-B:6, II and Rule Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).
12. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008) as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction as required pursuant to RSA 483-B:6, I, (c).
16. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I. if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

PERMIT CATEGORY: MAJOR IMPACT PROJECT

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2015-01201 OWNER:
OWNER: THE MOREAU FAMILY TRUST-2018

CITY: LACONIA WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Request permit time extension to be amended to allow the configuration of the docking facility during repairs and the addition of a permanent boat lift and seasonal canopy.

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APPROVE TIME EXTENSION
Reconfigure and repair a 31 ft x 16 ft pier and supporting 31 ft x 12 ft crib, a 6 ft 8 in x 108 ft access pier and supporting cribs, and three ice clusters, remove four bumper piles, drive two additional ice clusters, install a permanent boatlift and a 14 ft x 30 ft seasonal canopy, impact 1,308 square feet along 40 linear feet of shoreline to construct a 900 square foot perched beach on an average of 229 feet of frontage along Lake Winnipesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by Watermark Marine Construction dated February 7, 2017, as received by the NH Department of Environmental Services (DES) on February 10, 2017.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior

to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain in place until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
9. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
10. Crib material shall be timber, concrete, or other non-toxic material, and of such size and spacing as necessary to completely contain the ballast.
11. The minimum clear spacing between cribs shall be 12 feet.
12. No portion of the pier shall extend more than 137 feet from the shoreline at full lake elevation (Elev. 504.32).
13. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
14. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.
15. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
16. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of Elevation 506. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
17. The steps installed for access to the water shall be located completely landward of the normal high water line.
18. No more than 10 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
19. This permit shall be used only once, and does not allow for annual beach replenishment.
20. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
21. Re-vegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 ft. landward from the beach area.
22. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
23. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1.The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2.This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

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2017-02335 OWNER: SEABROOK DEVELOPMENT ASSOCIATES LLC

CITY: SEABROOK WATERBODY: Unnamed Wetland

Requested Action:

New property owner requests to have their name transferred to the approval.

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Inspection Date: 02/06/2018 by EBEN M LEWIS
Inspection Date: 01/31/2018 by EBEN M LEWIS
Inspection Date: 01/31/2018 by EBEN M LEWIS

APPROVE NAME CHANGE
Impact a total of 323,651 square feet (7.42 acres) of palustrine forested, emergent, and scrub-shrub wetland including 483 linear feet of an intermittent stream to include 254,529 square feet (5.85 acres) of permanent impact and 68,700 square feet (1.58 acres) of temporary impact for the construction of a mixed use commercial development and construction of a wildlife habitat pond. Compensatory mitigation involves a one-time payment of $1,038,853 to the NHDES Aquatic Resource Mitigation (ARM) Fund in the Salmon Falls-Piscataqua River service area. An additional payment of $346,354.00 shall be made into the ARM Fund if the wildlife habitat pond creation is not successful as determined by NHDES and the US Army Corps of Engineers (ACOE).

With Conditions:

1. All work shall be in accordance with the following plans. Any changes shall be submitted to NHDES in writing and approved by NHDES prior to implementation:
a.) 'Wetland Impact Plan by Jones & Beach Engineering, Inc. dated 6/1/17 and revised through 1/18/18 as received by the NH Department of Environmental Services Land Resources Management Program (NHDES) on February 6, 2018;
b.) Plan set by Jones & Beach Engineers, Inc. dated 10/3/17 and revised through 3/20/19 as received by NHDES on February 25, 2020;
c.) 'Landscape Plan Plant Area 1-5 by Terrain Planning & Design LLC dated 1/22/18 as received by NHDES on February 25, 2020; and,
d.) The '2020 Wetland Mitigation Report' dated February 2020 by GZA GeoEnvironmental, Inc. as received by NHDES on February 14, 2020.
2. This approval is not valid until NHDES receives a one-time payment of $1,038,853 to the NHDES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to NHDES. If NHDES does not receive payment within 120 days of the date of this approval letter, NHDES will deny the application. An additional payment of $346,354 shall be made into the ARM Fund if the wildlife habitat pond creation is not successful as determined by NHDES and the US Army Corps of Engineers (ACOE).
3. This permit is not valid until it has been recorded with the Rockingham County Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to NHDES by certified mail, return receipt requested.
4. The permittee shall schedule a pre-construction meeting with NHDES staff to occur at least 48 hours prior to the start of any work authorized by this permit to review the conditions of this wetlands permit and the Alteration of Terrain permit. The meeting will be held at the NHDES offices in Portsmouth and shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. This permit is contingent on receiving written authorization from the NH Department of Transportation for the impacts within their right-of-way(s).
6. This permit is not valid unless an Alteration of Terrain permit is issued in accordance with RSA 485-A:17 and Env-Wq 1500 .
7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
8. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
9. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
10. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
12. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
13. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. The project engineer shall oversee installation of erosion controls and periodically verify that the controls are properly maintained during construction.
15. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
16. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work site and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
17. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
18. All dredged and excavated material and construction-related debris shall be placed outside of areas subject to RSA 482-A.

19. No excavation shall be done in flowing water and no construction equipment shall be operated in flowing water.
20. Prior to commencing work located within a surface water, the permittee or permittee's contractors shall construct a cofferdam to isolate the work area from Policy Brook.
21. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
22. Work within a surface water, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during events until low flow conditions have returned.
23. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
24. Any work performed to 'Benny's' shall be done only under drawn down conditions. Any fish and/or amphibian species relocated from the pond shall by documented, including but not limited to, species and size. NHDES shall be provided the list of relocated species within 7-days following the completion of draw down. The relocation shall be supervised by a Certified Wildlife Biologist.
25. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
26. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
27. Proper headwalls shall be constructed over the ends of the upgraded culverts within seven days of culvert installation.
28. Any fill used shall be clean sand, gravel, rock, or other suitable material.
29. Precautions shall be taken to prevent the import or transport of soil or seed stock containing nuisance, invasive plant species such as Purple Loosestrife (Lythrum salicaria), Knotweed (Fallopia japonica), or common reed (Phragmites australis). The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
30. At least 68,700 square feet of palustrine emergent/aquatic and scrub shrub wetlands of Benny's Pond shall be constructed, monitored and managed in accordance with the plans and details as approved by NHDES in accordance with condition 1 above.
31. The permit is contingent on permittee providing start dates for NHDES to review and approve wetland construction project to commence, dates for completion of plantings and dates for the site to be finalized.
32. The permit is contingent on the permittee providing dates for NHDES to review and approve for submittal of post construction monitoring report.
33. The permit is contingent on NHDES and ACOE approval of a permittee developed monitoring plan that establishes performance standards for the stream and wetland construction project.
34. All construction activities, including the wetland construction, shall be carried out and supervised by qualified professionals. The permittee shall notify NHDES of the name and contact information of the qualified professional(s) and shall re-notify NHDES of any changes of qualified professional(s).
35. The qualified professional(s) shall supervise the construction activities to ensure that the work is accomplished pursuant to this approval.
36. Siltation, erosion, and turbidity control management measures, practices and devices shall be in place prior to construction, shall be maintained during construction so as to reduce erosion and retain sediment on-site during and after construction and ensure continued effectiveness and remain in place until all disturbed surfaces are stabilized
37. All steps shall be taken during the stream and wetland habitat improvement work that are necessary to ensure that no water quality violations occur.
38. Within three days following the last activity in the stream and wetland area or where activities are suspended for more than three days, all soils exposed by construction activities shall be stabilized by seeding and mulching, or through erosion control blankets as necessary, with review and approval by NHDES.
39. Wetland soils from areas vegetated with the invasive plant species identified in Condition 30 shall not be used in the wetland construction site.
40. The invasive plant species shall be controlled by measures approved by NHDES if the species is found in the construction areas during construction and during the early stages of vegetative establishment.
41. The habitat improvement shall not be considered successful if sites are newly invaded by invasive plant species during the first full growing season following the completion of construction. The applicant shall work with NHDES to attempt to eradicate nuisance species found in the restoration area during this same period.
42. There shall be no substitutions made for the plant species specified on the approved plan for replanting purposes without prior written approval from NHDES.
43. The qualified professional(s) shall inspect the construction areas and submit a monitoring report to NHDES after a rain event of 1/2 inch or greater within a 24 hour period during restoration activities. The monitoring reports shall include, but not

be limited to, documentation of erosion control deployment, construction sequencing, construction activities and status of construction at time of initial monitoring report. Photographs should depict all stages of construction sequencing.
44. Wetland areas shall have at least 75% successful establishment of hydrophytic vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is established to the satisfaction of NHDES and ACOE.
45. A post-construction report, prepared by a Certified Wetland Scientist, documenting status of the wetland construction areas, including photographs of all stages of construction from designated photo stations and an as-built plan, shall be submitted to the NHDES within 60 days of the completion of construction. The post construction report shall note the area of the wetland construction areas.
46. Subsequent monitoring reports, prepared by a qualified professional, shall be submitted to NHDES by June 1, 2021, June 1, 2022, June 1, 2023, June 1, 2024, and June 1, 2025 to document the success of the construction and outline a schedule for remedial actions if necessary. Such reports shall be submitted to NHDES, the ACOE, and Seabrook Conservation Commission with narrative description, photographs, from predetermined photo stations, demonstrating the conditions on the site, a summary on vegetative success, any necessary remedial actions to improve plant establishment, flood storage capacity, and a schedule for completing the remedial actions and conducting follow up inspections.
47. Remedial actions may include, but are not limited to replanting, relocation of plantings, removal of invasive species, altering the soil composition or depths, deconsolidation of soils due to compaction, altering the elevation of the wetland surface, changing the stream geometric contours, or hydraulic regime.
48. Upon being notified by the qualified professional who is monitoring the project that the wetland area have not met the performance standards after the second growing season, the permittee shall submit to NHDES an in lieu mitigation payment to compensate for the portions of the project that failed to meet the performance standards.

With Findings:

1. This is a major impact project per Administrative Rules Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
4. All impervious surfaces will be treated by stormwater management systems as permitted by Alteration of Terrain Permit AOT-1618 issued by NHDES on June 11, 2019.
5. Based on the facts, findings and conditions of the Water Quality Certification (WQC) WQC # 2018-4041-002 in Section 401 of the United States Clean Water Act (33 U.S.C. 1341) and RSA 485-A: 12, NHDES has determined that there is reasonable assurance that construction and operation of the Activity will not violate surface water quality standards.
6. In accordance with Env-Wt 803.09, NHDES finds there is added value to the functions and values of surface waters on the site through creation of the wildlife habitat pond creation. The work is considered habitat improvement for Mary's Brook, Mary's Pond, Cains Pond, and Cains Brook.
7. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
8. The payment calculated for the proposed wetland loss equals $1,038,853.
9. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
10. The payment into the ARM fund shall be deposited in the DES fund for the Salmon Falls - Piscataqua Rivers watershed per RSA 482-A:29.
11. In accordance with Env-Wt 807.03, if the wetland habitat improvement project does not achieve its objectives, after review by NHDES and the ACOE on an annual basis, the permittee shall be required to submit an in lieu payment to mitigate for the portions of the project that fail to meet the performance standards. The payment amount will be determined by NHDES, ACOE and EPA.
12. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB17-1545 stating, "We currently have no recorded occurrences for sensitive species near this project area."
13. NH Division of Historical Resources found "No Historic Properties Affected."
14. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resources, as identified under RSA 482-A:1.
15. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02 (b).

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2017-03657 OWNER: BREWSTER, DAVID

CITY: NEW LONDON WATERBODY: SUNAPEE LAKE

Requested Action:

The Applicant has notified the Department of their decision to withdraw the application for docking structures and has requested that the application be closed.

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Conservation Commission/Staff Comments:
This lot immediately abuts Kreisler lot.

WITHDRAW APPLICATION
The Department recognizes the Applicant's right to withdraw the application. Wetland Impact Application #2017-03657 is closed. No permit has been issued by the Department..

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2017-03659 OWNER: BREWSTER, DAVID

CITY: NEW LONDON WATERBODY: SUNAPEE LAKE

Requested Action:

The Applicant has notified the Department of their decision to withdraw the application for docking structures and has requested that the application be closed.

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Conservation Commission/Staff Comments:
This lot does not abut Kreisler lot.

WITHDRAW APPLICATION
The Department recognizes the Applicant's right to withdraw the application. Wetland Impact Application #2017-03659 is closed. No permit has been issued by the Department..

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2017-03702 OWNER: BRADFORD, TOWN OF

CITY: BRADFORD WATERBODY: WARNER RIVER

Requested Action:

Amend permit to remove the cofferdam at the south abutment and include the installation of eight, eight foot by eight foot temporary bridge support structures and turbidity controls within the bed of the river for a net increase of 27 square feet of temporary impacts.

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Conservation Commission/Staff Comments:
Per DHR, no archeological issue.

Inspection Date: 07/17/2019 by CHELSEA M DEROCHEMENT

APPROVE AMENDMENT
Dredge and fill 1,083 square feet within the bed and banks of the West Branch of the Warner River (tier 3, impacting 60 linear feet) at the Bement Covered Bridge to install rip rap protection and replace the north abutment and wing walls and to rehabilitate the south abutment. Temporarily impact 2,083 square feet (impacting 129 linear feet) within the bed and banks for construction access and turbidity controls.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc., dated December 2017, as received by NHDES on December 29, 2017, with revised sheet 17 received by NHDES on March 15, 2018, revised sheet 22 received by NHDES on March 9, 2018 and revised sheet 18 received by NHDES on July 9, 2020.
2. This permit is contingent on review and approval, by the NHDES Wetlands Program, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the right-of-way. The permittee shall submit a copy of each recorded easement to the NHDES Wetlands Program prior to construction.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
9. Cofferdams shall be installed prior to October 1st, and as shown on the amended plans.
10. All in-stream work shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or Env-Wq 1700.
11. All work shall be limited to dewatered areas. No in-stream work shall be permitted outside the dewatered areas.
12. With the exception of the cofferdam, the river shall remain open for flowing water at all times.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. Erosion control products shall be installed per manufacturer's recommended specifications.
15. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
16. Rip rap installed below ordinary high water shall be installed below grade where possible and infilled with crushed gravel.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
20. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
21. Temporary slope stabilization shall be achieved using wildlife friendly matting. No welded plastic, biodegradable plastic netting or thread in erosion control matting is permitted.
22. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

23. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
24. The temporary cofferdams shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
25. Avoidance and minimization measures (AMMs) in the U.S. Fish and Wildlife Service concurrence verification letter, dated September 5, 2017 as part of the December 15, 2016, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of Indiana Bat and Northern Long-Eared Bat shall be followed.
26. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the NHDES Wetlands Bureau within thirty days of the completion of construction.

With Findings:

Findings: NHDES reaffirms findings 1-19 with additional findings 20-24.
1. This is a Major Project per Administrative Rule Env-Wt 303.02(p) and Env-Wt 903.01(g)(1) for a new or replacement tier three stream crossing. The contributing watershed at the project location is 31.9 square miles.
2. The project consists of dredging and filling 1,083 square feet within the bed and bank (impacting 60 linear feet) of the West Branch of the Warner River at the Bement Covered Bridge in order to rehabilitate the bridge, fully replace the north abutment and wing walls, install rip rap protection at the north abutment and rehabilitate sections of the south abutment and wing walls. Temporary impacts consist of 2,083 square feet (129 linear feet) to the bed and banks of the river for construction access and installation of cofferdams.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project will address substructure deterioration and provide additional scour protection at the north abutment.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04, Requirements for Application Evaluation, has been considered in the design of the project.
6. Per Env-Wt 904.09(c), requirements for alternative design, the applicant has demonstrated that adhering to the NH Stream Crossing Rules is not practicable and that the alternative design meets the specific design criteria in Env-Wt 904.05 to the maximum extent practicable and the general design criteria in Env-904.01. The existing bridge crossing does not meet the New Hampshire Stream Crossing Guidelines (May 2009) for bankfull width or entrenchment ratio. Given the historic status of the covered bridge, it has been demonstrated that it is not cost-effective or feasible to re-locate the historic abutments and lengthen the bridge.
7. The Hydrology and Hydraulic Analysis prepared by Hoyle, Tanner & Associates, Inc., received by NHDES on December 29, 2018, determined the 50 year and 100 year flood elevations of 642.9 feet and 644.3 feet, respectively. The low chord elevation of the bridge is 645.8 feet. Therefore, the existing bridge opening has hydraulic capacity to pass the design flow with adequate freeboard and the project will not result in a loss of flood storage or the hydraulic capacity of the bridge.
8. The Rip Rap Sizing Calculations analysis prepared by Hoyle, Tanner & Associates, Inc., received by NHDES on March 9, 2018, provides the justification for a layer of 12 inch diameter rip rap, two feet thick, to protect the abutment from scour.
9. In accordance with Env-Wt 904.08, the applicant has provided an assessment of the geomorphic compatibility of the existing stream crossing as well as a request for an alternative design in accordance with Env-Wt 904.09.
10. The applicant has demonstrated that the criteria in Env-Wt 904.04 for tier three stream crossings have been addressed. The plans have been stamped by New Hampshire Licensed Professional Engineer.
11. The Bement Covered Bridge was constructed in 1854. Compensatory mitigation shall not be required in accordance with Env-Wt 904.04(f)(2), for projects that consist of replacement structures that previously met all applicable requirement at the time of construction provided they meet the criteria in Env-Wt 904.08, for the replacement of legal tier three stream crossings.
12. The applicant has demonstrated the need to construct both abutments concurrently.
13. The applicant has demonstrated that relocating the catch basin to the west side of the bridge is not practicable.
14. The New Hampshire Natural Heritage Bureau (NHB) has reviewed the proposed project and determined that although there was an NHB record, it is not expected to be impacted by the proposed project, per the letter dated January 23, 2017.
15. In accordance with New Hampshire Fish and Game Department (NHFGD) recommendations, potential impacts to spawning brook trout will be minimized by limiting work to the dewatered areas established prior to October 1st and maintaining two thirds of the channel open to flowing water at all times. Potential impacts to wood turtles (Glyptemys insculpta) will be minimized by using "wildlife friendly" slope stabilization (see condition 20).
16. A visual survey for small whorled pogonia (Isotria medeoloides) was conducted by Stoney Ridge Environmental, LLC on August 1, 2017 and no occurrences were identified.
17. The project is not likely to adversely affect Indiana bat (Myotis sodalis) or northern long-eared bat (Myotis septenrionalis) according to the U.S. Fish and Wildlife Service (USFWS) concurrence verification letter dated September 5, 2017.
18. The Bement Covered Bridge is listed on the National Register of Historic Places.
19. The applicant prepared a Historic Structure Report (HSR) as requested in the New Hampshire Division of Historical Resources (NHDHR) Request for Project Review (RPR) response on February 3, 2017. The NHDHR concluded that no

further archaeological study was recommended for this project, according to the New Hampshire Department of Transportation review request form to the NHDHR, dated December 15, 2017 and signed December 26, 2017.
20. An amendment request was received by NHDES on July 1, 2020 and has been approved.
21. In accordance with RSA-482-A:3, XIV.(e), the amendment proposed less than 20% of the previously approved acreage of the permitted fill or dredge area. The amendment required a reduction of temporary bank impacts and an increase in temporary bed impacts for a net increase of 27 square feet of temporary bed impact.
22. The NHFGD did not anticipate any impact to wild brook trout spawning as a result of the approved amendment provided that cofferdam would be installed and functioning before October 1st.
23. The revised wetland impact plan was stamped by a NH licensed professional engineer.
24. The temporary impacts at the south abutment were removed from the amended plans. The applicant explained that, "the work needed to repair this abutment can be done on foot with no impact to the streambed and no need for water diversion. The work in this location would take a few days at most, and can be flexed as needed within the time frame of the project to ensure work is done in the dry."

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2018-01031 OWNER: RANDOLPH, TOWN OF

CITY: RANDOLPH WATERBODY: MOOSE RIVER

Requested Action:

Request name change to Town of Randolph to dredge and fill 283 square feet (SF) within the bed and banks of the Moose River (Tier 3, impacting 65 linear feet (LF)) to replace the existing 8 foot wide, deteriorating, granite block box culvert with a new 12 foot wide, open-bottom box culvert. As part of the project, the upstream right bank of the river will be reconstructed using granite blocks salvaged from the existing culvert. In addition, temporarily impact 197 SF and 38 LF within the bed and banks for construction access and installation.

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Conservation Commission/Staff Comments:
8/20/18 per DHR No Historic Properties Affected
Second revision of application received 8/31/2018
No comments from Randolph ConComm
NHFG predictive coldwater fishery

APPROVE NAME CHANGE
Change name and address to Town of Randolph 130 Durand Road Randolph NH 03593 to dredge and fill 283 square feet (SF) within the bed and banks of the Moose River (Tier 3, impacting 65 linear feet (LF)) to replace the existing 8 foot wide, deteriorating, granite block box culvert with a new 12 foot wide, open-bottom box culvert. As part of the project, the upstream right bank of the river will be reconstructed using granite blocks salvaged from the existing culvert. In addition, temporarily impact 197 SF and 38 LF within the bed and banks for construction access and installation.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLCC dated February 12, 2018, and revised through September 7, 2018 as received by the NH Department of Environmental Services (DES) on September 7, 2018.
2. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events. All in-stream work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized. Erosion control products shall be installed per manufacturers recommended specifications.
4. Appropriate turbidity controls shall be installed prior to construction, and shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
5. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA

482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
8. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
9. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
11. Filter fabric shall be installed under the rip-rap.
12. Native material removed from the streambed during culvert installation shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert, between wing walls, and beyond. Any new materials used must be as similar to the natural stream substrate as practicable and shall not include any angular rock.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
14. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
15. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
16. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
17. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.

With Findings:

This permit transfer is issued in accordance with NH Administrative Rule Env-Wq 1406.18.

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2018-01279 OWNER: NH DEPT OF TRANSPORTATION

CITY: ERROL WATERBODY: MAGALLOWAY RIVER

Requested Action:

Repair and stabilize approximately 200 linear feet of bank and realign a portion of the roadway impacting 11,976 square feet (4,954 square feet temporary) of riverine and palustrine wetlands. NHDOT project 41069

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APPROVE AMENDMENT
Approve amendment to repair and stabilize approximately 200 linear feet of bank and realign a portion of the roadway impacting 11,976 square feet (4,954 square feet temporary) of riverine and palustrine wetlands. NHDOT project 41069.

With Conditions:

Amended Conditions:
1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 03/01/18, as received by the Department on May 7, 2018 and impact summary table received Aug. 7, 2018, and with revised Wetland Impact Plan, Sheet No. 4 RAP1 for Shoulder Widening & Pavement Match Extension dated April 16, 2020.

2. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
3. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
13. There shall be no further alteration to wetlands or surface waters without additional permitting.
14. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
15. Work on the adjacent property shall not occur until proper authorization is gained.
16. Perimeter erosion controls shall include temporary impact areas.
17. Plantings shall be in accordance with the specifications submitted with the application.
20. Monitoring reports shall be submitted each year for 2 years after the first growing season to provide information on the success of the plantings and the engineered log jam.

With Findings:

Amended Findings:
1. This is a major impact project per Administrative Rules Wt 303.02(i), projects that disturb 200 or more linear feet of stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has addressed the criteria for shoreline stabilization by proposing an engineered log jam method and the DES finds this to be the least intrusive practical method.
6. The project was discussed at the monthly Natural Resource Agency meeting held at the NH Dept. of Transportation on Oct. 18, 2017 to coordinate the project. DES determined that this method of bank stabilization would be considered self-mitigating and meets Rule Env-Wt 302.03(c)(2)(d).
7. DES finds that this project will not have a significant impact on these riverine resources and are not areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1. Therefore, a public hearing is not required.

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2019-00866 OWNER: FREEDOM, TOWN OF

CITY: FREEDOM WATERBODY: STONY BROOK

Requested Action:

The applicant is requesting an additional 100 SF of wetland impact to relocate a wingwall 2 feet out from an adjacent guardrail to allow for the necessary guardrail clearance.

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Conservation Commission/Staff Comments:
ConComm sign-off dated 3/19/2019

APPROVE AMENDMENT
Dredge and fill 810 square feet (SF) within the bed and bank of Stony Brook (Tier 3, impacting 49 linear feet (LF)) to replace the existing 18½ foot span by 20 foot wide bridge with a 20 foot span by 30 foot wide bridge. In addition, temporarily impact 626 SF within the bed and bank of Stony Brook (impacting 175 LF) for access and for installing sedimentation and erosion control during construction.

With Conditions:

1. All work shall be in accordance with plans by HEB Engineers dated March 19, 2019 and as revised by CMA Engineers on June 26, 2020, as received by the NHDES on July 1, 2019 and June 26, 2020, respectively.
2. This permit is contingent on obtaining a permit pursuant to the Shoreland Water Quality Protection Act, RSA 483-B and New Hampshire Code of Administrative Rules Env-Wq 1400.
3. This permit is contingent on review and approval, by the NHDES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. This permit is contingent on review and approval, by the NHDES Wetlands Bureau, of final pollution control plans. Those plans shall detail pollution control methods for pumps, fuel stations, and equipment storage.
5. Not less than five (5) state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
6. Work within the river, inclusive of work associated with installation of a cofferdam or turbidity curtain, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events. All in-stream work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized. Erosion control products shall be installed per manufacturers recommended specifications.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
11. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation should be replanted with seedlings of like native species and seeded with a conservation mix and mulched within three (3) days of the completion of the disturbance.
12. No machinery shall enter the water.
13. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
14. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
16. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
17. The turbidity controls shall be entirely removed within 2 days after work within the controls is completed and water has returned to normal clarity.
18. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for Roadside Invasive Plants (2008).
19. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and

vegetation from construction equipment and matting before such equipment is moved to the site. Restoration shall not be considered successful if sites are invaded by nuisance species during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to eradicate nuisance species.
20. Only native plant species shall be used to revegetate the riverbank.
21. A Certified Wetlands Scientist or Qualified Professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Bureau within 60 days of final site stabilization.

With Findings:

1. This is a Major Project per NH Administrative Rule Env-Wt 903.01(g)(1), as the project is a replacement of a Tier 3 stream crossing.
2. The project comprises replacement of the existing 18½-foot span, 20-foot wide bridge with a 20-foot span, 30-foot wide bridge, which, while it is not currently listed on the NHDOT Municipal Red List, due to its condition, could be listed soon.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03 as they will only impact the river channel and bank to the degree necessary.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The project will improve hydraulic and geomorphic compatibility and aquatic organism passage of the stream crossing to the greatest degree practicable, and is considered a self-mitigating, alternative design.
5. The Town of Freedom Conservation Commission, the abutters, and the public provided no comments regarding the project.
6. In a review letter dated November 4, 2010, the NH Department of Transportation Cultural Resources program stated that "no historic properties will be affected.".
7. In a review letter dated November 19, 2018, the NH Natural Heritage Bureau (NHB) stated that there are two recorded occurrences of sensitive species in the vicinity of the proposed project. On July 19, 2019, NHB personnel inspected the project area to make sure that the sensitive species did not occur within the project area. The aquatic and upland environments immediately surrounding the bridge were reviewed at all four quadrants. No plants resembling either of the sensitive species were observed. Based on the results of the inspection, NHB had no further concerns about the project.
8. On June 26, 2020, the applicant's engineer requested a permit amendment to impact an additional 100 SF of wetland to extend a wingwall for clearance to a guardrail.

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2019-03104 **OWNER: SEAVEY, MARK**
OWNER: SEAVEY, PAUL
OWNER: SEAVEY, NICHOLAS
OWNER: SEAVEY, TODD
OWNER: SEAVEY, KIMBERLY
OWNER: GEORGE FAMILY IRREVOCABLE TRUST
OWNER: ROGERSON, BLAINE/PATRICIA
OWNER: TRAILL, HALEY/IAN
OWNER: SEAVEY, MATTHEW

CITY: BARTLETT WATERBODY: SACO RIVER

Requested Action:

Dredge 48,197 square feet within dry portions of the bed of the Saco River (impacting 1,104 linear feet) to remove accumulated cobble deposition which resulted from the October 2017 flood event; and dredge and fill 8,928 square feet within the bed and bank of the Saco River (impacting 1,280 linear feet) to stabilize eroding banks at 2 locations with riprap, which failed during the October 2017 flood event. Temporarily impact 2,870 square feet with the bed and banks of the Saco River (impacting 84 linear feet) for construction access and for installation of erosion controls and cofferdams.

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APPROVE PERMIT
Dredge 48,197 square feet within dry portions of the bed of the Saco River (impacting 1,104 linear feet) to remove accumulated cobble deposition which resulted from the October 2017 flood event; and dredge and fill 8,928 square feet within the bed and bank of the Saco River (impacting 1,280 linear feet) to stabilize eroding banks at 2 locations with riprap, which failed during the October 2017 flood event. Temporarily impact 2,870 square feet with the bed and banks of the Saco River (impacting 84 linear feet) for construction access and for installation of erosion controls and cofferdams.

With Conditions:

1. All work shall be in accordance with revised plans by HEB Engineers dated July 10, 2020, as received by the NH Department of Environmental Services (DES) on July 16, 2020.
2. This permit is contingent on review and approval, by the DES Wetlands Program, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the DES Wetlands Program prior to construction, if applicable.
4. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
5. All activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to prevent unintentional encroachment on adjacent wetlands and surface waters.
8. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
9. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued in writing by DES in consultation with NH Fish & Game.
10. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
11. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Erosion control products shall be installed per manufacturers recommended specifications.
16. Mulch used within the wetland restoration areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
17. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
18. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
19. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
20. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
22. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
23. Filter fabric shall be installed under the rip-rap.
24. Any fill used shall be clean sand, gravel, rock, or other suitable material.
25. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall

construct a cofferdam to isolate the substructure work area from the surface waters.
26. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
27. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
28. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
29. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
30. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
31. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
32. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3 -inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
33. Areas of temporary impact shall be regraded to original contours following completion of work.
34. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), as impacts to the bed and banks are greater than 20,000 square feet.
2. In a letter dated November 12, 2019, the Saco-Swift Rivers Local Advisory Committee (LAC) provided comments and questions they had regarding the project.
3. In an email dated November 14, 2109, an abutting property owner (JLG Trust) expressed concerns about the project.
4. NHDES reviewed the application and issued a Request for More Information (RFMI) letter on November 14, 2019, based on several major questions regarding the potential for mitigation.
5. The Town of Bartlett and their agent (HEB Engineers) met with NHDES, the Army Corps of Engineers (ACE) and the Environmental Protection Bureau (EPA) on January 15, 2020, to discuss the project and potential for mitigation. It was determined that since the project is proposed to protect existing infrastructure, mitigation would not be required. NHDES did recommend they submit the results from an ongoing river study the town funded to determine if the proposed measures would improve the flooding situation.
6. The applicant entered into several time extension agreements with NHDES to allow additional time to respond to the RFMI letter.
7. On June 9, 2020, NHDES received the draft results from the river wide study known as the "Saco River Flood Hazard Reduction Study" dated April 21, 2020, which evaluated the proposed measures and made several recommendations to improve the project.
8. On June 25, 2020, NHDES sent an email to HEB Engineers requesting that the project be modified to take into account the river study recommendations, that the applicant address concerns raised by the LAC and abutters, as well as eliminating several areas of proposed stream bed and bank impacts that were deemed unnecessary.
9. The applicant responded with revised plans on July 16, 2020 to address all of the above mentioned issues and reduced the overall impacts by 192,549 square feet, by eliminating several major areas of proposed riprap and berms, as well as a proposed beach replenishment.
10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The original application requested 252,544 square feet of impact within the bed and banks of the Saco River. The revised plans have eliminated several major areas of proposed riprap and berms, as well as a proposed beach replenishment, reducing the overall impacts to 59,995 square feet.
11. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
12. Mitigation is not required per Rule 302.03(c)(2)c., as the project involves riprap and other stabilization measures to protect existing infrastructure.
13. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the revised project will address stability issues and is now designed to restore the area to pre-storm conditions, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

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2020-00929 OWNER: LAKE HOUSE NOMINEE TRUST

CITY: TUFTONBORO WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Impact 1,173 square feet of bank along 14 linear feet of shoreline to construct a 14 foot x 25 foot perched beach on an average of 115 feet of frontage along Lake Winnipesaukee in Tuftonboro.

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APPROVE PERMIT
Impact 1,173 square feet of bank along 14 linear feet of shoreline to construct a 14 foot x 25 foot perched beach on an average of 115 feet of frontage along Lake Winnipesaukee in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Advantage NH Lakes dated April 21, 2020 and as received by the NH Department of Environmental Services (NHDES) on June 29, 2020 as required pursuant to Env-Wt 307.16.
2. No more than 15 cubic yards of sand shall be used and all sand shall be located above the normal high water line in accordance with Env-Wt 511.06(b)(1).
3. Steps for access to and from a water access structures shall not exceed 6 feet in width and shall be constructed or installed such that all portions of the steps are landward of the normal high, in accordance with Env-Wt 511.04(f).
4. Revegetation of the disturbed area by planting trees, shrubs, and ground covers shall represent the density and species diversity of the existing stand of vegetation removed for the project; and begin at a distance no greater than 5 feet landward from the water access structures footprint, in accordance with Env-Wt 511.05(b).
5. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
6. Pursuant to RSA 483-B:9,V, (a)(2)(d)(v), this permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
7. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).
8. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction, and removed upon completion of work and the effective stabilization of disturbed surfaces as required pursuant to Env-Wt 307.03(c).
9. All dredged and excavated material and construction-related debris shall be placed outside of those areas subject to RSA 482-A or RSA-483-B unless a permit for the deposition of materials within those areas has been obtained as required per RSA 482-A:3 or RSA 483-B:5-b respectively.
10. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700, as required pursuant to Env-Wt 307.03(a).
11. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

1. The project is classified as a major impact per Rule Env-Wt 511.06(d), the aggregate area impacted by water access structures exceeds 500 SF.
2. The Department finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the

Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900. No waivers of RSA 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900 were requested or approved under this permit action.

PERMIT CATEGORY: MINOR IMPACT PROJECT

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2014-03445 OWNER: RIDGEBACK SELF STORAGE

CITY: HOOKSETT WATERBODY: Unnamed Wetland

Requested Action:

Request permit time extension to dredge and fill 2693 sq. ft. of forested wetlands and associated stream channel (27 linear feet), Tier 2 stream crossing, for the construction of a 13 ft. span x 3.6 ft. rise x 27 ft. run open bottom box culvert with a natural stream bed for access to a proposed self-storage facility. The project includes storage buildings, office, parking areas, new utilities, stormwater detention and treatment structures with a total land disturbance approximately 89,000 sq. ft. on a 3.36 acre lot

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APPROVE TIME EXTENSION
Dredge and fill 2693 sq. ft. of forested wetlands and associated stream channel (27 linear feet), Tier 2 stream crossing, for the construction of a 13 ft. span x 3.6 ft. rise x 27 ft. run open bottom box culvert with a natural stream bed for access to a proposed self-storage facility. The project includes storage buildings, office, parking areas, new utilities, stormwater detention and treatment structures with a total land disturbance approximately 89,000 sq. ft. on a 3.36 acre lot.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering, sheet 3 and 9 of 14 revision date 7/21/09, sheet 4 of 14 revision date 6/22/09, sheet 9B of 14 revision date 7/29/09, as received by DES on December 8, 2014 and revised plan sheets 11 and 11A of 14 revised through 7/21/09, as received by DES on April 29. 2015.
2. This permit is contingent on approval by the DES Alteration of Terrain Program (if applicable).
3. Work shall be done during low flow.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. The final surface of the stream channel bed shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap.
6. As requested by the New Hampshire Fish and Game Department any erosion control matting needed for the proposed project shall not include plastic or biodegradable netting.
7. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and conditions and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
14. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.

15. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1.The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2.This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

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2019-03667 OWNER: HEMLOCK HILLS ESTATES LLC

CITY: HOOKSETT WATERBODY: Unnamed Wetland

Requested Action:

Dredge and fill a total of 5,190 square feet of wetlands and surface waters in two locations to construct roadway crossings for a 37-lot residential subdivision including the following: Wetland Impact #1: 1,875 square feet of fill and installation of a 5 feet wide x 3 feet high x 85 feet long embedded box culvert on a Tier 1 intermittent stream and; Wetland Impact #2: 3,315 square feet of fill in wetlands and installation of a 5 feet wide x 3 feet high x 40 feet long embedded box culvert.

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APPROVE PERMIT
Dredge and fill a total of 5,190 square feet of wetlands and surface waters in two locations to construct roadway crossings for a 37-lot residential subdivision including the following: Wetland Impact #1: 1,875 square feet of fill and installation of a 5 feet wide x 3 feet high x 85 feet long embedded box culvert on a Tier 1 intermittent stream and; Wetland Impact #2: 3,315 square feet of fill in wetlands and installation of a 5 feet wide x 3 feet high x 40 feet long embedded box culvert.

With Conditions:

1. All work shall be in accordance with plans by Rokeh Consulting, LLC dated October 25, 2019 as received by the NH Department of Environmental Services (NHDES) on November 22, 2019.
2. This permit is not valid unless a subdivision approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
4. The Permittee shall comply with all recommendations by the New Hampshire Fish and Game Department related to state or federally listed threatened or endangered species that are incorporated into the project plans.
5. Conservation restrictions and restrictive covenants shall be recorded on Tax Map 21, Lot 15, for the purpose of supporting and preserving wildlife habitat. The language shall be as contained in a conservation restriction document titled, Declaration of Covenants and Restrictions, Hemlock Hill Estates, received by the NHDES on July 7, 2020.
6. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
7. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES Wetlands Bureau by certified mail, return receipt requested.
8. The permittee/permittee's contractor shall use only biodegradable, wildlife-friendly, erosion control netting not to include materials comprised of welded plastic.
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. Work shall be done during low flow.
11. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work

site has returned to normal clarity.
13. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
16. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per New Hampshire Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The roadways have been proposed at the narrowest points of the wetland system, thereby minimizing impacts.
5. No comments of concern have been received by NHDES from abutters or local governing organizations.
6. The Natural Heritage Bureau (NHB) report submitted with the application (NHB19-2916) stated that there are State endangered vertebrate species within the project vicinity.
7. The applicant has coordinated with New Hampshire Fish and Game Department to minimize impacts to the State endangered vertebrate species within the project vicinity.
8. This project qualifies as a Tier 1 Stream Crossing and the applicant has designed the stream crossing in accordance with New Hampshire Administrative Rule Env-Wt 904.01 and Env-Wt 904.02. The applicant has demonstrated that the proposed crossing has been designed to accommodate the 50-year frequency flood without restriction. In addition, the culverts will be embedded to accommodate aquatic organism passage.
9. The Hooksett Conservation Commission did not submit comments to NHDES on the application.

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2020-00442 OWNER: MELHEM ENTERPRISES RETREATS LLC

CITY: WHITEFIELD WATERBODY: BURNS POND

Requested Action:

Install two 7 foot x 3 foot concrete anchor pads, a 6 foot x 40 foot seasonal pier and a separate 6 foot x 48 foot seasonal pier each being accessed by 6 foot wide access stairs on two contiguous lots having a combined average of 5,030 feet of shoreline frontage along Burns Pond in Whitefield.

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APPROVE PERMIT
Install two 7 foot x 3 foot concrete anchor pads, a 6 foot x 40 foot seasonal pier and a separate 6 foot x 48 foot seasonal pier each being accessed by 6 foot wide access stairs on two contiguous lots having a combined average of 5,030 feet of shoreline frontage along Burns Pond in Whitefield.

With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans by Headwaters Hydrology, PLLC, dated December 2019 as received by the NH Department of Environmental Services on March 9, 2020.
2. This permit shall not be effective until it has been recorded in the Coos County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
4. Activities that produce suspended sediment in jurisdictional areas that provide value as bird migratory areas or fish and shellfish spawning or nursery areas, shall be done so as to avoid and minimize discharges of dredged material or placement of fill material during spawning or breeding seasons by using water quality protection techniques as specified in Env-Wt 307 and timing of project as specified in Env-Wt 307.10(g) or (h), as applicable.
5. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. In accordance with Env-Wt 307.10(c), turbidity controls shall be installed prior to construction and maintained during construction such that no turbidity escapes the immediate dredge area; and remain in place until suspended particles have settled and water at the work site has returned to normal clarity.
7. All excavated material and construction-related debris shall be placed outside of those areas subject to RSA 482-A or RSA-483-B unless a permit for the deposition of materials within those areas has been obtained as required per RSA 482-A:3 or RSA 483-B:5-b respectively.
8. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; as equired pursuant to Env-Wt 307.03(a).
9. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
10. All portions of the docking structures shall be located at least 20 feet from the abutting property lines and no watercraft shall be secured to the docking facility such that it crosses over the imaginary extension of the property lines over the surface water as required by RSA 482-A:3, XIII.
11. All seasonal structures shall be removed for the non-boating season as required per Env-Wt 513.22.
12. The concrete pads shall be constructed landward of the normal high water line (Elev. 1014.7) as required per Env-Wt 513.13, (d).
13. The seasonal dock shall be removed from the water prior to applying any paint, stain, or other preservative coating, and not returned to the water until after such coating is dry as required per Env-Wt 513.22(b)(4).

With Findings:

1. This project is classified as a minor impact project per Rule Env-Wt 513.24 (b), construction of docking structures providing not more than 4 slips.
2. On March 10 202 the NH Department of Environmental Services (NHDES) received an application to install a 6 foot x 40 foot seasonal pier and a separate 6 foot x 48 foot seasonal pier each to be anchored by a newly installed concrete anchor pad accessed by 6 foot wide access stairs to serve two contiguous lots having a combined average of 5,030 feet of shoreline frontage along Burns Pond in Whitefield.
3. NHDES received written concerns from the Whitefield Conservation Commission (WCC) and two owners of non-abutting Burns Pond waterfront.
4. The WCC noted that the Town of Whitefield has included Burns Pond in the municipality's own Natural Resource Inventory due to the quiet nature of the small pond, its use by the local community for outdoor recreation, the presence of nearby stratified drift aquifers, and its proximity to other wetlands having acidic soil with potential to accommodate rare plant life.
5. The Applicant proposes docking structures providing four slips as defined by RSA 482-A:2, VIII. As no launch facilities are proposed, the docks will only be accessible to those watercraft which can be launched on Burns Pond using the existing launch facilities. Therefore, the NHDES finds that the installation of docking structures will not result in an increase impact on public enjoyment of the pond because they will not expand on the potential size or type of watercraft, nor the number of watercraft, that can use Burns Pond.
6. The installation of docking structures watercraft has no documented impact on the recharge of stratified drift aquifers or the quality of the water within them.
7. The Installation of docking structures for use by watercraft located on Burns Pond will not impact other wetlands not contiguous to Burns Pond.
8. The NH Natural Heritage Bureau report for the site and project states that no adverse impact to rare or endangered species or habitats is expected to result from the proposed project.
9. The WCC expresses concerns that the future use of the property could have an adverse impact on the ecology of Burns

Pond given that the property has 2 residences, each with a 3 bedroom septic, and has been advertised online for use as short-term rentals and as a venue for weddings with potential for speed boat and personal watercraft use.
10. The commercial marketing and use of the properties adjacent to Burns pond is a matter for local zoning control and is beyond the purview of the NHDES Wetlands Bureau.
11. As stated in Finding #5 above, no launch facilities are proposed as part of this project and only those speedboat or personal watercraft as may be launched on Burns Pond using the existing available launch facilities will be able to utilize the proposed docks. Therefore the NHDES finds the installation of the docks will not create additional adverse boating impacts on Burns Pond.
12. The WCC states that "the water close to shore is approximately 3 feet in depth' and thus only the standard 30 foot pier length should be approved for installation on the Applicant's property.
13. The Agent for the Applicant has submitted plans illustrating that the 3 foot water depth contour adjacent to the property owned by the Applicant is located at a distance from shore that justifies the requested pier lengths pursuant to the requirements of the definition of a "boat slips as found in RSA 482-A2, VII and Rule Env-Wt 513.08, Information Required for Requests for Waivers to Size Requirements, (b).
14. The WCC expresses concerns that the longer docks may facilitate the use of the property by tourists with larger boats which will negatively impact the residential community use and the environmental health of Burns Pond.
15. The NHDES reiterates its earlier finding that the commercial use of the property for tourism based business is a local zoning matter beyond the purview of the NHDES Wetlands Bureau and that the dock will not result in an increase in the size, nor a change in the type of the watercraft that can access Burns Pond.
16. The WCC expresses general concerns with the impact of the commercial use of the property adjacent to Burns Pond.
17. While use of the Applicant's property adjacent to Burns Pond may, or may not, meet the Town of Whitefield's definition of "commercial,' the NHDES agrees with the Agent for the Applicant's response to the WCC's concerns in that area and find that the proposed use of the docking structures does not meet the definition of "Commercial docking structure" as stated in Rule Env-Wt 102.36.
18. The concerns of the two owners of non-abutting Burns Pond waterfront property owners were related to the request for additional dock length and have been addressed in the NHDES' earlier findings.

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2020-01235 OWNER: DEBORAH LEAHY REVOC TRUST

CITY: TUFTONBORO WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Remove existing 6 foot x 40 foot seasonal pier and 4 foot x 5 foot concrete landing, repair existing 6 foot x 48 foot wharf supported by three 4 foot x 4 foot cribs, construct two 6 foot x 31 foot 6 inch permanent piers supported by four 6 foot x 6 foot cribs attached to the existing wharf in a "U" configuration and install two personal watercraft lifts and a single seasonal boatlift on an average of 150 feet of frontage along Lake Winnipesaukee in Tuftonboro.

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APPROVE PERMIT
Remove existing 6 foot x 40 foot seasonal pier and 4 foot x 5 foot concrete landing, repair existing 6 foot x 48 foot wharf supported by three 4 foot x 4 foot cribs, construct two 6 foot x 31 foot 6 inch permanent piers supported by four 6 foot x 6 foot cribs attached to the existing wharf in a "U" configuration and install two personal watercraft lifts and a single seasonal boatlift on an average of 150 feet of frontage along Lake Winnipesaukee in Tuftonboro.

With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans dated March 3, 2020 by Watermark Marine Construction, as received by the NH Department of Environmental Services (NHDES) on June 3, 2020.
2. This permit shall not be effective until it has been recorded in the Carroll County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. The existing 6 foot x 40 foot seasonal pier and 4 foot x 5 foot concrete landing shall be permanently removed from the frontage prior to the construction of the crib supported piers as required to maintain compliance with Env-Wt 513.12.
4. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision as required to maintain compliance with

Env-Wt 314.02 and Env-Wt 513.12.
5. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
6. All portions of the docking structures shall be located at least 20 feet from the abutting property lines and no watercraft shall be secured to the docking facility such that it crosses over the imaginary extension of the property lines over the surface water as required by RSA 482-A:3, XIII.
7. No portion of the docking structures shall extend more than 34.5 feet from the shoreline at full lake elevation (Elev. 504.32) pursuant to Env-Wt 513.22, (a).
8. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season as required per Env-Wt 513.22.
9. Owners of permanent docking structures which are not maintained so as to be structurally sound and usable for their intended purpose shall remove those docking structures in accordance with Env-Wt 513.22(c), to prevent hazards to public safety, navigation, and recreation.
10. Cribs shall not exceed 6 feet long by 6 feet wide, and shall be of sufficient height to support the docking structure above normal full lake level (Elev. 504.32) as required per Env-Wt 513.15, (g), (1).
11. Crib material shall be timber, concrete, or other non-toxic material, and of such size and spacing as necessary to completely contain the ballast as required per Env-Wt 513.15, (g), (4).
12. The minimum clear spacing between cribs shall be 12 feet as required per Env-Wt 513.22, (a).
13. No agitating or heating device shall be installed for the purpose of inhibiting the formation of ice in proximity to the approved structures unless it has been registered with the municipal clerk of the town in which such device shall be operated pursuant to RSA 270:34 Registration Required.
14. Pursuant to RSA 270:33, Heating, Agitating, or Other Devices in Public Waters; Safety Hazard, no agitating or heating device installed in accordance with RSA 270:34 shall inhibit or prevent the natural formation of ice in such a manner as to impede either the ingress or egress to or from the ice from any property other than that of the owner of the device.
15. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
16. All construction-related debris shall be placed outside of those areas subject to RSA 482-A or RSA-483-B unless a permit for for the deposition of materials within those areas has been obtained as required per RSA 482-A:3 or RSA 483-B:5-b respectively.
17 No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700 as required pursuant to Env-Wt 307.03(a).

With Findings:

1. The project is classified as a minor impact per Rule Env-Wt 513.24(b), construction of a docking structure with 3 boat slips.
2. The Department finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900. No waivers of RSA 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900 were requested or approved under this permit action.

PERMIT CATEGORY: MINIMUM IMPACT PROJECT

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2020-00754 OWNER: DEFLICE, PATRICIA

CITY: TILTON WATERBODY: WINNISQUAM LAKE

Requested Action:

Restore and repair a 5 foot x 125 foot permanent pier in its original location and footprint on an average of 108 feet of frontage along Lake Winnisquam in Tilton.

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APPROVE PERMIT
Restore and repair a 5 foot x 125 foot permanent pier in its original location and footprint on an average of 108 feet of frontage along Lake Winnisquam in Tilton.

With Conditions:

1. Pursuant to Env-Wt 307.16, all work shall be done in accordance with the revised plans by Turning Point Land Surveyors & Land Planners, revision date June 9, 2020, as received by the NH Department of Environmental Services (NHDES) on June 17 2020.
2. This permit shall not be effective until it has been recorded in the Belknap County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. In accordance with Env-Wt 307.10(c), turbidity controls shall be installed prior to construction and maintained during construction such that no turbidity escapes the immediate dredge area; and remain in place until suspended particles have settled and water at the work site has returned to normal clarity.
4. All construction-related debris shall be placed outside of those areas subject to RSA 482-A or RSA-483-B unless a permit for for the deposition of materials within those areas has been obtained as required per RSA 482-A:3 or RSA 483-B:5-b respectively.
5. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
6. No portion of the docking structures shall extend more than 125 feet from the shoreline at full lake elevation (Elev 482 35) pursuant to Env-Wt 513.22, (a).
7. The pier shall be constructed perpendicular to the shoreline as required per Env-Wt 513.22, (a) and Env-Wt 513.24, (a) (2).
8. Owners of permanent docking structures which are not maintained so as to be structurally sound and usable for their intended purpose shall remove those docking structures in accordance with Env-Wt 513.22(c), to prevent hazards to public safety, navigation, and recreation.
9. No agitating or heating device shall be installed for the purpose of inhibiting the formation of ice in proximity to the approved structures unless it has been registered with the municipal clerk of the town in which such device shall be operated pursuant to RSA 270:34 Registration Required.
10. Pursuant to RSA 270:33, Heating, Agitating, or Other Devices in Public Waters; Safety Hazard, no agitating or heating device installed in accordance with RSA 270:34 shall inhibit or prevent the natural formation of ice in such a manner as to impede either the ingress or egress to or from the ice from any property other than that of the owner of the device.
11. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 513.24, (a) (2) repair of a legally existing docking structure.
2. The Department finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900. No waivers of RSA 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900 were requested or approved under this permit action.

PERMIT CATEGORY: SHORELAND STANDARD

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2015-02014 OWNER: MANDIGO, WILLIAM

CITY: WOLFEBORO WATERBODY: RUST POND

Requested Action:

Request permit time extension to impact 9,316 square feet of protected shoreland in order to construct a new home, septic system, driveway, and well. Rotate the approved structure 90 degrees. The project will include, a deck, a set of detached stairs for access over slope from the basement, and an expanded driveway constructed with pervious pavement.

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APPROVE TIME EXTENSION
Impact 9,316 square feet of protected shoreland in order to construct a new home, septic system, driveway, and well. Rotate the approved structure 90 degrees. The project will include, a deck, a set of detached stairs for access over slope from the basement, and an expanded driveway constructed with pervious pavement.

With Conditions:

1. All work shall be in accordance with revised plans by White Mountain Survey & Engineering, Inc. dated April 22, 2020 ,and received by the NH Department of Environmental Services (DES) on April 27, 2020.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 5,006 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.
2. This permit has been extended in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.

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2018-01960 OWNER: NH DEPT OF TRANSPORTATION

CITY: ERROL WATERBODY: MAGALLOWAY RIVER

Requested Action:

Applicant request to amend file in order to improve road safety.

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APPROVE AMENDMENT
Amend file to read: Impact 107,529 square feet (SF) of protected shoreland in order to repair and realign NH 16 away from the Magalloway River.

With Conditions:

1. All work shall be in accordance with revised plans by New Hampshire Department of Transportation revision dated April 16, 2020 and received by the NH Department of Environmental Services (NHDES) on June 19, 2020.
2. All proposed impact are limited and must occur exclusively within the Right-Of-Way (ROW). Any work proposed outside

the ROW must obtain a legal easement or authorization prior to any impact.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 31% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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2019-03074 OWNER: CRETELLA III, ALBERT W/DIANE R

CITY: NEWBURY WATERBODY: SUNAPEE LAKE

Requested Action:

Impact 16,500 square feet of protected shoreland in order to demolish existing house and shed for the construction of a new proposed house and septic system, replace driveway with different configuration, replace patio with pervious pavers, install stormwater management, and grade as necessary.
Amended Plan includes, relocating the dinning room and kitchen 3 feet from the lake, with an increase of 72 square feet of impervious area.

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APPROVE AMENDMENT
Impact 16,500 square feet of protected shoreland in order to demolish existing house and shed for the construction of a new proposed house and septic system, replace driveway with different configuration, replace patio with pervious pavers, install stormwater management, and grade as necessary.
Amended Plan includes, relocating the dinning room and kitchen 3 feet from the lake, with an increase of 72 square feet of impervious area.

With Conditions:

1. All work shall be in accordance with plans by Fuss & O'Neill dated September 20, 2019 and received by the NH Department of Environmental Services (DES) on September 27, 2019.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.

4. No more than 24.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 3,277 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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2020-01148 OWNER: BRAUSCH, DANIEL/MARY

CITY: STODDARD WATERBODY: HIGHLAND LAKE

Requested Action:

Impact 17,443 square feet of protected shoreland in order to construct a primary structure with an attached garage and patio, a walkway to the dock and to a pervious deck with a pergola, construct a driveway, and install a septic system.

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APPROVE PERMIT
Impact 17,443 square feet of protected shoreland in order to construct a primary structure with an attached garage and patio, a walkway to the dock and to a pervious deck with a pergola, construct a driveway, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated May 7, 2020 and revised as received by the NH Department of Environmental Services (NHDES) on July 7, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau as required pursuant to RSA 483-B:6, I, (c).
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved as required per Rule Env-Wq 1406.20, (e).
4. No more than 12.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
5. Native vegetation within an area of at least 4,782 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project,

and remain in place until all disturbed surfaces are stabilized as required per Rule Env-Wq 1406.20, (a).
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters as required per Rule Env-Wq 1406.20, (b).
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700 as required per Rule Env-Wq 1406.20, (c).
9. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
10. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction as required pursuant to RSA 483-B:6, I, (c).
13. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I. If NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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2020-01153 OWNER: HOWE, JOSHUAH

CITY: WASHINGTON WATERBODY: HALFMOON LAKE

Requested Action:

Impact 8,750 square feet of protected shoreland in order to replace a failed waste disposal system, expand the existing driveway for additional parking space, grade the "front yard" to blend the septic mound into the existing grade, and remove three existing tree stumps.

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APPROVE PERMIT
Impact 8,750 square feet of protected shoreland in order to replace a failed waste disposal system, expand the existing driveway for additional parking space, grade the front yard to blend the septic mound into the existing grade, and remove three existing tree stumps.

With Conditions:

1. All work shall be in accordance with plans by Quality System Design, LLC dated April 14, 2020 and received by the NH Department of Environmental Services (NHDES) on May 26, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
2. The proposed septic system shall not be constructed until the system is approved by the NHDES Subsurface Systems Bureau as required pursuant to RSA 483-B:6, I, (c).
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved as required per Rule Env-Wq 1406.20, (e).
4. No more than 10.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
5. Native vegetation within an area of at least 2,625 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized as required per Rule Env-Wq 1406.20, (a).

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters as required per Rule Env-Wq 1406.20, (b).
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700 as required per Rule Env-Wq 1406.20, (c).
9. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I. If NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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2020-01207 OWNER: LEISER, ADAM

CITY: MADISON WATERBODY: UPPER PEA PORRIDGE POND

Requested Action:

Impact 800 square feet of protected shoreland in order to provide a porous walkway, a rain garden, and landscaping of disturbed area.

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APPROVE PERMIT
Impact 800 square feet of protected shoreland in order to provide a porous walkway, a rain garden, and landscaping of disturbed area.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated May 7, 2020 and revised on July 5, 2020 as received by the NH Department of Environmental Services (NHDES) on July 6, 2020.
2. Where mechanized equipment will be used, orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved as required per Rule Env-Wq 1406.20, (e).
3. No more than 24.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
4. Native vegetation within an area of at least 1,425 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized as required per Rule Env-Wq 1406.20, (a).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters as required per Rule Env-Wq 1406.20, (b).
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700 as required per Rule Env-Wq 1406.20, (c).
8. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
9. The proposed stone drip edge shall be installed and maintained to effectively absorb and infiltrate stormwater in order to ensure compliance with RSA 483-B:9, V, (g).
10. Photographs documenting the construction of the proposed stone drip edge shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure as required per RSA 483-B:6, II and Rule

Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).
11. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction as required pursuant to RSA 483-B:6, I, (c).
14. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I,.if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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2020-01333 OWNER: LAMPERT FAMILY REV TRUST 2012

CITY: GILFORD WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Impact 11,777 square feet of protected shoreland in order to expand the primary structure with an attached garage, modify and convert existing driveway to a permeable surface, and construct a 1,220 square foot pervious patio with a pergola on the east side of primary structure. Project will include removal of portions of the driveway and a deck.

****

APPROVE PERMIT
Impact 11,777 square feet of protected shoreland in order to expand the primary structure with an attached garage, modify and convert existing driveway to a permeable surface, and construct a 1,220 square foot pervious patio with a pergola on the east side of primary structure. Project will include removal of portions of the driveway and a deck.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated July 1, 2020 and received by the NH Department of Environmental Services (NHDES) on July 7, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved as required per Rule Env-Wq 1406.20, (e).
3. No more than 19.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized as required per Rule Env-Wq 1406.20, (a).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters as required per Rule Env-Wq 1406.20, (b).
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700 as required per Rule Env-Wq 1406.20, (c).
7. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
8. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15, (c) in order to ensure compliance with RSA 483-B:9, V, (g).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA

483-B:9, V, (d) Erosion and Siltation, (1).
10. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I. If NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

****

2020-01390 OWNER: MCKENNA, MARTIN/MARLENE

CITY: DOVER WATERBODY: COCHECO RIVER

Requested Action:

Impact 8,737 square feet of protected shoreland to construct a single family primary structure with appurtenant structures. In addition, temporarily impact 14,578 square feet of protected shoreland for construction access.

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APPROVE PERMIT
Impact 8,737 square feet of protected shoreland to construct a single family primary structure with appurtenant structures. In addition, temporarily impact 14,578 square feet of protected shoreland for construction access.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering dated August 2019, revised through September 30, 2019, and received by the NH Department of Environmental Services (NHDES) on June 18, 2020.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 7.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 10,185 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

****

2020-01394 OWNER: MACBEAN, CHRISTOPHER

CITY: HOLLIS WATERBODY: DUNKLEE POND

Requested Action:

Impact 16,754 square feet of protected shoreland in order to construct a primary structure with a deck and attached garage, construct a driveway, and install a septic system.

****

APPROVE PERMIT
Impact 16,754 square feet of protected shoreland in order to construct a primary structure with a deck and attached garage, construct a driveway, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated March 13, 2020 and received by the NH Department of Environmental Services (NHDES) on June 19, 2020 pursuant to 483-B:5-b Permit Required; Exemption, I, (a).
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau as required pursuant to RSA 483-B:6, I, (c).
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved as required per Rule Env-Wq 1406.20, (e).
4. No more than 5.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES in order to ensure compliance with RSA 483-B:9, V, (g).
5. Native vegetation within an area of at least 8,652 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained as natural woodlands in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized as required per Rule Env-Wq 1406.20, (a).
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters as required per Rule Env-Wq 1406.20, (b).
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700 as required per Rule Env-Wq 1406.20, (c).
9. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V, (d) Erosion and Siltation, (1).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction as required pursuant to RSA 483-B:6, I, (c).
12. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I. If NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

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2020-01599 OWNER: CHADBOURN, JANET

CITY: NORTHWOOD WATERBODY: NORTHWOOD LAKE

Requested Action:

Impact 157 square feet of protected shoreland in order to repair sinkholes to original elevation and no change in landscaping.

****

APPROVE PERMIT
Impact 157 square feet of protected shoreland in order to repair sinkholes to original elevation and no change in landscaping.

With Conditions:

1. All work shall be in accordance with plans by Ryan Chadbourn dated June 14, 2020 and received by the NH Department of Environmental Services (NHDES) on July 7, 2020.
2. No more than 35.69% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
10. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

PERMIT CATEGORY: SEASONAL DOCK SPN

****

2020-01577 OWNER: D'ARBANVILLE, MICHAEL

CITY: BELMONT WATERBODY: SARGENT LAKE

Requested Action:

Install a 4 foot x 20 foot seasonal pier along frontage on Sargent Lake in Belmont.

****

COMPLETE NOTIFICATION
Install a 4 foot x 20 foot seasonal pier along frontage on Sargent Lake in Belmont.

****

2020-01594 OWNER: BANERJEE, SIKHAR

CITY: NEW LONDON WATERBODY: PLEASANT LAKE

Requested Action:

Install a 4 foot x 24 foot seasonal pier along frontage on Pleasant Lake in New London.

****

COMPLETE NOTIFICATION
Install a 4 foot x 24 foot seasonal pier along frontage on Pleasant Lake in New London.

****

2020-01600 OWNER: HATEM, JOHN

CITY: NEWBURY WATERBODY: SUNAPEE LAKE

Requested Action:

Install a 6 foot x 40 foot seasonal pier along frontage on Sunapee Lake in Newbury.

****

COMPLETE NOTIFICATION
Install a 6 foot x 40 foot seasonal pier along frontage on Sunapee Lake in Newbury.

****

2020-01612 OWNER: AINSCOW, WILLIAM

CITY: BARRINGTON WATERBODY: SWAINS LAKE

Requested Action:

Install a 4 foot x 28 foot seasonal pier along frontage on Swains Lake in Barrington.

****

COMPLETE NOTIFICATION
Install a 4 foot x 28 foot seasonal pier along frontage on Swains Lake in Barrington.

****

2020-01613 OWNER: BROWN, RANDALL

CITY: SANDOWN WATERBODY: ANGLE POND

Requested Action:

Install a 5 foot x 30 foot seasonal pier along frontage on Angle Pond in Sandown.

****

COMPLETE NOTIFICATION
Install a 5 foot x 30 foot seasonal pier along frontage on Angle Pond in Sandown.

****

2020-01625 OWNER: CARIGNAN, DAVE

CITY: BRADFORD WATERBODY: MASSASECUM LAKE

Requested Action:

Install a 4 foot x 28 foot seasonal pier along frontage on Massasecum Lake in Bradford.

****

COMPLETE NOTIFICATION
Install a 4 foot x 28 foot seasonal pier along frontage on Massasecum Lake in Bradford.

****

2020-01634 OWNER: GOSS, ALINE/TOM

CITY: NEW DURHAM WATERBODY: CHALK POND

Requested Action:

Install a 6 foot x 16 foot seasonal pier along frontage on Chalk Pond in New Durham.

****

COMPLETE NOTIFICATION
Install a 6 foot x 16 foot seasonal pier along frontage on Chalk Pond in New Durham.

****

2020-01635 OWNER: O'CONNOR, JAMES/LORI

CITY: ANDOVER WATERBODY: HIGHLAND LAKE

Requested Action:

Install a 6 foot x 30 foot seasonal pier along frontage on Highland Lake in Andover.

****

COMPLETE NOTIFICATION
Install a 6 foot x 30 foot seasonal pier along frontage on Highland Lake in Andover.

****

2020-01636 OWNER: HOPE PETERSON FAMILY TRUST

CITY: WOLFEBORO WATERBODY: WENTWORTH LAKE

Requested Action:

Install a 6 foot x 40 foot seasonal pier along frontage on Wentworth Lake in Wolfeboro.

****

COMPLETE NOTIFICATION
Install a 6 foot x 40 foot seasonal pier along frontage on Wentworth Lake in Wolfeboro.

****

2020-01645 OWNER: FORD, RICHARD

CITY: WASHINGTON WATERBODY: ASHUELOT POND

Requested Action:

Install a 6 foot x 30 foot seasonal pier along frontage on Ashuelot Pond in Washington.

****

COMPLETE NOTIFICATION
Install a 6 foot x 30 foot seasonal pier along frontage on Ashuelot Pond in Washington.

PERMIT CATEGORY: FORESTRY SPN

****

2020-01624 OWNER: ALT, JAMES

CITY: TAMWORTH WATERBODY: Unnamed Stream

****

COMPLETE NOTIFICATION
Tamworth Tax Map #414, Lot #78

****

2020-01637 OWNER: VERILISA, REED

CITY: PLYMOUTH WATERBODY: Unnamed Stream

****

COMPLETE NOTIFICATION
Plymouth Tax Map #207, Lot #010

****

2020-01654 OWNER: STATE OF NH, FORESTS & LANDS

CITY: ALTON WATERBODY: Unnamed Stream

****

COMPLETE NOTIFICATION
Alton, Tax Map #11, Lot #4

****

2020-01668 OWNER: FRANCHI, DEBRA

CITY: TAMWORTH WATERBODY: Unnamed Stream

****

COMPLETE NOTIFICATION
Tamworth Map #410, Lot #122

****

2020-01672 OWNER: BAYROOT LLC

CITY: DIXVILLE WATERBODY: Unnamed Stream

****

COMPLETE NOTIFICATION
Dixville Tax Map #1626, Lot #9

****

2020-01686 OWNER: FROST, EHRHARD

CITY: PLYMOUTH WATERBODY: Unnamed Stream

****

COMPLETE NOTIFICATION
Plymouth, Tax Map #237, Lot #001 & 002

PERMIT CATEGORY: TRAILS SPN

****

2020-00965 OWNER: SMITH, TRAVIS

CITY: LISBON WATERBODY: Unnamed Stream

****

COMPLETE NOTIFICATION
Install bridge

****

2020-00966 OWNER: PATTERSON, ROBERT

CITY: LISBON WATERBODY: Unnamed Stream

****

COMPLETE NOTIFICATION
Install bridge and water bars.

****

2020-00968 OWNER: SIMPSON, CRAIG/HEIDI

CITY: LISBON WATERBODY: Unnamed Stream

****

COMPLETE NOTIFICATION
Repair bridge.

PERMIT CATEGORY: RR1: CULVERT REPLACEMENT OR REPAIR

****

2020-01669 OWNER: TOWN OF BRADFORD

CITY: BRADFORD WATERBODY: Unnamed Stream

****

COMPLETE REGISTRATION
RR1: CULVERT REPLACEMENT/REPAIR

****

2020-01670 OWNER: TOWN OF MARLOW

CITY: MARLOW WATERBODY: Unnamed Stream

****

COMPLETE REGISTRATION
RR1: CULVERT REPLACEMENT OR REPAIR

PERMIT CATEGORY: EXP - EXPEDITED TIMELINE

****

2020-01143 OWNER: PINE TRAIL CONDOMINIUMS

CITY: LACONIA WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Repair the existing major docking structure on an average of 495 feet frontage along Lake Winnipesaukee in Laconia.

****

APPROVE PERMIT
Repair the existing major docking structure on an average of 495 feet frontage along Lake Winnipesaukee in Laconia.

With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans as received by the NH Department of Environmental Services (NHDES) on June 23, 2020.
2. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision as required to maintain compliance with Env-Wt 314.02 and Env-Wt 513.12.
3. Only those structures shown on the approved plans shall be repaired along this frontage as required per Env-Wt 513.22, (a).
4. Owners of permanent docking structures which are not maintained so as to be structurally sound and usable for their intended purpose shall remove those docking structures in accordance with Env-Wt 513.22(c), to prevent hazards to public safety, navigation, and recreation.
5. No agitating or heating device shall be installed for the purpose of inhibiting the formation of ice in proximity to the approved structures unless it has been registered with the municipal clerk of the town in which such device shall be operated pursuant to RSA 270:34 Registration Required.
6. Pursuant to RSA 270:33, Heating, Agitating, or Other Devices in Public Waters; Safety Hazard, no agitating or heating device installed in accordance with RSA 270:34 shall inhibit or prevent the natural formation of ice in such a manner as to impede either the ingress or egress to or from the ice from any property other than that of the owner of the device.
7. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality as required pursuant to Env-Wt 307.03(a).
9. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

1. The project is classified as a minimum impact per Rule Env-Wt 513.24(a)(2), the project is the repair or replacement of an existing legal structure.
2. The Department finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900. No waivers of RSA 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900 were requested or approved under this permit action.

****

2020-01316 OWNER: STAR ISLAND CORP

CITY: RYE WATERBODY: ATLANTIC OCEAN

Requested Action:

Re-issue permit to reflect the correct plan(s).

****

APPROVE AMENDMENT
Temporarily impact 1316 square feet within the previously-developed 100-foot tidal buffer zone to replace the existing, failed septic system with an Enviro Septic System.

With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the plans by Underwood Engineers dated July 13, 2018 and as received by the NH Department of Environmental Services (NHDES) on June 11, 2020.
2. In accordance with Env-Wt 310.03(a), no other work shall be done on the subject property pursuant to another expedited permit (EXP) or a statutory permit-by-notification (SPN) for a period of 12 months from the date the EXP was issued unless the property owner submits information, including a plan, to demonstrate that the proposed work is wholly unrelated to and separate from the work already done under the EXP or SPN; and the proposed work and the work already done under the EXP or SPN do not, when combined, constitute a project for which a standard permit is required.
3. In accordance with Env-Wt 307.07, all development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction.
4. Any fill used shall be clean sand, gravel, rock, or other suitable material as required per Rule Env-Wq 1406.20, (d).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized as required per Rule Env-Wq 1406.20, (a).
6. In accordance with Env-Wt 307.15(a), heavy equipment shall not be operated in any jurisdictional area unless specifically authorized by this permit.
7. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
8. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.
9. In accordance with Env-Wt 307.03(g)(2), the person in charge of construction equipment shall repair any leaks prior to using the equipment in an area where such fluids could reach groundwater, surface waters, or wetlands.
10. In accordance with Env-Wt 307.03(h), equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15.
11. In accordance with Env-Wt 307.12(a), within 3 days of final grading or temporary suspension of work in an area that is in or adjacent to surface waters, all exposed soil areas shall be stabilized by seeding and mulching, if during the growing season; or mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1 if not within the growing season.
12. All work shall be conducted and maintained in such a way as to protect water quality as required by Rule Env-Wt 307.03(a) through (h).

With Findings:

1. This is classified as a minimum impact project per Rule Env-Wt 610.17(c)(1) for any dredging, filling, or construction activity, or any combination thereof that is in a previously developed upland area, is within 100 feet of the Highest Observable Tide Line (HOTL), and will disturb less than 3,000 square feet (SF).
2. Per Rule Env-Wt 306.05, the applicant has addressed all of the required planning items that are used to determine the appropriate impact classification of a project and the type of approval required.
3. Per Rule Env-Wt 310.01(h), the application for this expedited permit (EXP) included a signed statement from the municipal conservation commission certifying that the conservation commission waives its right to intervene on the project.
4. Per Rule Env-Wt 605.01, for projects in coastal areas, the applicant has demonstrated that the avoidance and minimization requirements in Env-Wt 307, Env-Wt 311.07, Env-Wt 313, and Env-Wt 603.04 have been met, and has demonstrated that all of the requirements listed in Env-Wt 605.01(a) through (c) have been met.
5. Per Env-Wt 605.02, the applicant for a permit for work in or adjacent to tidal waters/wetlands or the tidal buffer zone has demonstrated that adverse impacts listed in (a) through (d) have been avoided or minimized as required by Env-Wt 313.04.
6. Per Rule Env-Wt 604.02(c), the project in or on a tidal buffer zone preserves the self-sustaining ability of the buffer area to

provide habitat values, protect tidal environments from potential sources of pollution, provide stability of the coastal shoreline, and maintain existing buffers intact where the lot has disturbed area defined under RSA 483- B:4, VI.

PERMIT CATEGORY: SMALL MOTOR MINERAL DREDGE

****

2020-01647 OWNER: KELCH, CARMEN

CITY: (ALL TOWNS) WATERBODY: Unnamed Stream

****

APPROVE PERMIT
BENTON, TUNNEL BROOK
LINCOLN, NOTCH BROOK
LISBON, WILD AMMONOOSUC RIVER
NORTHERN COOS COUNTY, INDIAN STREAM/PERRY STREAM/SWIFT DIAMOND RIVER

****

2020-01663 OWNER: MEYERROSE, KYLE

CITY: (ALL TOWNS) WATERBODY: Unnamed Stream

****

APPROVE PERMIT
4 Twin River Ln., Bath, Wild Ammonoosuc River

PERMIT CATEGORY: WETLAND PBN

****

2020-01226 OWNER: ARCH STREET UNION LLC

CITY: TILTON WATERBODY: WINNISQUAM LAKE

Requested Action:

Install a 6 foot x 40 foot seasonal pier on frontage along Winnisquam Lake in Tilton.

****

PBN IS COMPLETE
Install a 6 foot x 40 foot seasonal pier on frontage along Winnisquam Lake in Tilton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Cosntruction LLC dated May 13, 2020, as received by the NH Department of Environmental Services (NHDES) on June 2, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Belknap County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
4. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season as required per Env-Wt 513.22.
5. The seasonal dock shall be removed from the water prior to applying any paint, stain, or other preservative coating, and not returned to the water until after such coating is dry as required per Env-Wt 513.22(b)(4).
6. The use of this structure shall be limited to the docking and securing of watercraft as required to comply with Env-Wt 307.09.
7. In accordance with Env-Wt 513.10(a) and as required by RSA 482-A:3, XIII(a), all docking facilities shall be at least 20 feet from the abutting property line and the imaginary extension of the property line over the surface water that is perpendicular to the shoreline.
8. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality as required pursuant to Env-Wt 307.03(a).
9. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

This is a minimum impact project per Administrative Rule Env-Wt 513.24(a), for the construction of a seasonal dock.

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2020-01395 OWNER: LOCH LYME LODGE INC

CITY: LYME WATERBODY: POST POND

Requested Action:

Temporarily impact 540 square feet along 90 linear feet of bank in order to repair an existing retaining wall on frontage along post pond in Lyme.

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PBN IS COMPLETE
Temporarily impact 540 square feet along 90 linear feet of bank in order to repair an existing retaining wall on frontage along post pond in Lyme.

With Conditions:

1. All work shall be in accordance with plans by Rich Brown as received by the NH Department of Environmental Services (NHDES) on July 14, 2020 as required pursuant to Env-Wt 307.16.
2. Repair of the existing retaining wall shall be conducted in the dry and shall result in no change in height, length, location, or configuration in accordance with 514.07(a).
3. Pursuant to RSA 483-B:9,V, (a)(2)(d)(v), this permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
4. All development activities associated with any project shall be conducted in compliance with applicable requirements of

RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
5. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).
6. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction, and removed upon completion of work and the effective stabilization of disturbed surfaces as required pursuant to Env-Wt 307.03(c).
7. All dredged and excavated material and construction-related debris shall be placed outside of those areas subject to RSA 482-A or RSA-483-B unless a permit for for the deposition of materials within those areas has been obtained as required per RSA 482-A:3 or RSA 483-B:5-b respectively.
8. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality as required pursuant to Env-Wt 307.03(a).
9. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

The project is classified as a minimum impact per Administrative Rule Env-Wt 514.07(a)(3), repair of the existing retaining wall conducted in the dry and results in no change in height, length, location, or configuration. wall.

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2020-01471 OWNER: KIRK, MALCOLM

CITY: CENTER SANDWICH WATERBODY: SQUAM LAKE

Requested Action:

Repair an existing 30 foot 5 inch x 28 foot 3 inch boathouse with an 11 foot 3 inch x 5 foot 4 inch section and two 4 foot 4 inch x 29 foot 4 inch piers supported by an 8 foot 10 inch x 29 foot 10 inch crib, a 6 foot 4 inch x 29 foot 10 inch crib and an 8 foot 2 inch x 29 foot 10 inch crib connected to a 4 foot 8 inch x 27 foot walkway along 534 feet of frontage on Squam Lake in Center Sandwich.

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PBN IS COMPLETE
Repair an existing 30 foot 5 inch x 28 foot 3 inch boathouse with an 11 foot 3 inch x 5 foot 4 inch section and two 4 foot 4 inch x 29 foot 4 inch piers supported by an 8 foot 10 inch x 29 foot 10 inch crib, a 6 foot 4 inch x 29 foot 10 inch crib and an 8 foot 2 inch x 29 foot 10 inch crib connected to a 4 foot 8 inch x 27 foot walkway along 534 feet of frontage on Squam Lake in Center Sandwich.

With Conditions:

1. All work shall be done in accordance with plans by Kirk Malcolm, as received by the NH Department of Environmental Services (NHDES) on June 26, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Carroll County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision as required to maintain compliance with Env-Wt 314.02 and Env-Wt 513.12.
4. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain

until suspended particles have settled and water at the work site has returned to normal clarity.
5. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).
6. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction, and removed upon completion of work and the effective stabilization of disturbed surfaces as required pursuant to Env-Wt 307.03(c).
7. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality as required pursuant to Env-Wt 307.03(a).
8. Work shall be carried out in a time and manner such that there are no discharges in or to fish or shellfish spawning or nursery areas during spawning seasons as required pursuant to Env-Wt 307.04. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
9. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas as required pursuant to Env-Wt 307.04. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
10. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
11. Pursuant to RSA 483-B:9,V, (a)(2)(d)(v), this permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
12. Owners of permanent docking structures which are not maintained so as to be structurally sound and usable for their intended purpose shall remove those docking structures in accordance with Env-Wt 513.22(c), to prevent hazards to public safety, navigation, and recreation.
13. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

The project is classified as a minimum impact per Administrative Rule Env-Wt 515.07(a), for the maintenance and repair of any boathouse.

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2020-01574 OWNER: COLLINS, JOHN

CITY: WEBSTER WATERBODY: BLACKWATER RIVER

Requested Action:

Install a 6 foot x 8 foot seasonal dock parallel to the shoreline along 182 feet of frontage on the Black Water River in Webster.

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Conservation Commission/Staff Comments:
7-7-20 - Con Com has waived right to intervene but has certain observations. See file.

PBN IS COMPLETE
Install a 6 foot x 8 foot seasonal dock parallel to the shoreline along 182 feet of frontage on the Black Water River in Webster.

With Conditions:

1. All work shall be in accordance with plans by John Collins as received by the NH Department of Environmental Services (NHDES) on July 13, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Merrimack County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
4. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season as required per Env-Wt 513.22.
5. The seasonal dock shall be removed from the water prior to applying any paint, stain, or other preservative coating, and not returned to the water until after such coating is dry as required per Env-Wt 513.22(b)(4).
6. The use of this structure shall be limited to the docking and securing of watercraft as required to comply with Env-Wt 307.09.
7. In accordance with Env-Wt 513.10(a) and as required by RSA 482-A:3, XIII(a), all docking facilities shall be at least 20 feet from the abutting property line and the imaginary extension of the property line over the surface water that is perpendicular to the shoreline.
8. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality as required pursuant to Env-Wt 307.03(a).
9. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

This is a minimum impact project per Administrative Rule Env-Wt 513.24(a), for the construction of a seasonal dock.

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2020-01622 OWNER: THERESA M CHABOT IRREVOCABLE TRUST

CITY: NEW DURHAM WATERBODY: MERRYMEETING LAKE

Requested Action:

Temporarily impact 757 square feet along 62 linear feet of bank in order to repair an existing retaining wall on 111 linear feet of frontage along Merry Meeting Lake in New Durham.

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Conservation Commission/Staff Comments:
7-23-20 - No historic properties affected per DHR.

PBN IS COMPLETE
Temporarily impact 757 square feet along 62 linear feet of bank in order to repair an existing retaining wall on 111 linear feet of frontage along Merry Meeting Lake in New Durham.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering LLC dated May 29, 2020, and revised through July 14, 2020 as received by the NH Department of Environmental Services (NHDES) on July 14, 2020 as required pursuant to Env-Wt 307.16.
2. Repair of the existing retaining wall shall be conducted in the dry and shall result in no change in height, length, location,

or configuration in accordance with 514.07(a).
3. Pursuant to RSA 483-B:9,V, (a)(2)(d)(v), this permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
4. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
5. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).
6. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction, and removed upon completion of work and the effective stabilization of disturbed surfaces as required pursuant to Env-Wt 307.03(c).
7. All dredged and excavated material and construction-related debris shall be placed outside of those areas subject to RSA 482-A or RSA-483-B unless a permit for for the deposition of materials within those areas has been obtained as required per RSA 482-A:3 or RSA 483-B:5-b respectively.
8. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality as required pursuant to Env-Wt 307.03(a).
9. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

The project is classified as a minimum impact per Administrative Rule Env-Wt 514.07(a)(3), repair of the existing retaining wall conducted in the dry and results in no change in height, length, location, or configuration. wall.